

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

# BRIAN LIVESAY

Plaintiff,

V.

## CASHCALL, INC.,

Defendant.

Case No.: 15-cv-1385-JLS MDD

**ORDER GRANTING JOINT  
MOTION TO DISMISS**

Presently before the Court is the Parties' Joint Motion to Dismiss ("Joint Mot.").

(ECF No. 13.) The Parties request that “the above-captioned action be dismissed with prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.” (Joint Mot. 2.) Federal Rule of Civil Procedure 41(a)(1)(A)(ii) permits voluntary dismissal without a Court Order when the Parties file “a stipulation of dismissal signed by all parties who have appeared.” This rule is satisfied in the instant case; accordingly, the Parties’ Motion is granted and the case is **DISMISSED WITH PREJUDICE**. As stipulated by the Parties, “[e]ach party shall bear his/its own attorney’s fees and costs.” (*Id.*) Finally, because this concludes the litigation in this matter, the Clerk shall close the file.

## IT IS SO ORDERED.

Dated: May 23, 2017

Janis L. Sammartino  
Hon. Janis L. Sammartino  
United States District Judge